

Senate File 2394 - Introduced

SENATE FILE 2394

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 3202)

A BILL FOR

1 An Act relating to surcharges added to criminal penalties,
2 court funds, civil fees, misdemeanor and felony fines and
3 fines associated with scheduled violations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

SURCHARGES ADDED TO CRIMINAL PENALTIES

1
2
3 Section 1. Section 331.302, subsection 2, Code 2018, is
4 amended to read as follows:

5 2. For a violation of an ordinance a county shall not
6 provide a penalty in excess of the maximum fine and term of
7 imprisonment for a simple misdemeanor under section 903.1,
8 subsection 1, paragraph "a". The ~~criminal penalty crime~~
9 services surcharge required by [section 911.1](#) shall be added to
10 a county fine and is not a part of the county's penalty.

11 Sec. 2. Section 364.3, subsection 2, Code 2018, is amended
12 to read as follows:

13 2. For a violation of an ordinance a city shall not
14 provide a penalty in excess of the maximum fine and term of
15 imprisonment for a simple misdemeanor under section 903.1,
16 subsection 1, paragraph "a". An amount equal to ten percent of
17 all fines collected by cities shall be deposited in the account
18 established in [section 602.8108](#). However, one hundred percent
19 of all fines collected by a city pursuant to section 321.236,
20 subsection 1, shall be retained by the city. The ~~criminal~~
21 penalty crime services surcharge required by [section 911.1](#)
22 shall be added to a city fine and is not a part of the city's
23 penalty.

24 Sec. 3. Section 602.8102, subsection 135A, Code 2018, is
25 amended to read as follows:

26 135A. Assess the surcharges provided by [sections 911.1](#),
27 [911.2](#), [911.2A](#), [911.2B](#), ~~[911.2C](#)~~, ~~[911.3](#)~~, and [911.4](#).

28 Sec. 4. Section 602.8107, subsection 2, paragraph c,
29 subparagraph (2), Code 2018, is amended to read as follows:

30 (2) Fines or penalties and ~~criminal penalty and law~~
31 ~~enforcement initiative surcharges~~ the crime services surcharge.

32 Sec. 5. Section 602.8107, subsection 4, paragraph a, Code
33 2018, is amended to read as follows:

34 a. [This subsection](#) does not apply to amounts collected for
35 victim restitution, the victim compensation fund, the ~~criminal~~

1 ~~penalty crime services~~ surcharge, sex offender civil penalty,
2 drug abuse resistance education surcharge, ~~the law enforcement~~
3 ~~initiative surcharge~~, county enforcement surcharge, amounts
4 collected as a result of procedures initiated under subsection
5 5 or under [section 8A.504](#), or fees charged pursuant to section
6 356.7.

7 Sec. 6. Section 602.8108, subsections 3, 5, and 7, Code
8 2018, are amended to read as follows:

9 3. The clerk of the district court shall remit to the state
10 court administrator, not later than the fifteenth day of each
11 month, ~~ninety-five~~ eighty-five percent of all moneys collected
12 from the ~~eriminal~~ penalty crime services surcharge provided in
13 section 911.1 during the preceding calendar month. The clerk
14 shall remit the remainder to the county treasurer of the county
15 that was the plaintiff in the action or to the city that was
16 the plaintiff in the action. Of the amount received from the
17 clerk, the state court administrator shall allocate ~~seventeen~~
18 and deposit each month sixty-seven percent ~~to be deposited in~~
19 the victim compensation fund established in [section 915.94](#),
20 and ~~eighty-three percent to be deposited in the general fund~~
21 thirty-three percent in the criminalistics laboratory fund
22 established in section 691.9.

23 5. ~~The clerk of the district court shall remit all moneys~~
24 ~~collected from the assessment of the law enforcement initiative~~
25 ~~surcharge provided in [section 911.3](#) to the state court~~
26 ~~administrator no later than the fifteenth day of each month for~~
27 ~~deposit in the general fund of the state.~~

28 7. The clerk of the district court shall remit all moneys
29 collected from the assessment of the surcharges provided
30 in ~~sections~~ section 911.2B and ~~911.2C~~ to the state court
31 administrator for deposit in the address confidentiality
32 program revolving fund created in [section 9.8](#).

33 Sec. 7. Section 805.8, subsection 1, Code 2018, is amended
34 to read as follows:

35 1. *Application.* Except as otherwise indicated, violations

1 of sections of the Code specified in [sections 805.8A, 805.8B,](#)
2 and [805.8C](#) are scheduled violations, and the scheduled fine
3 for each of those violations is as provided in those sections,
4 whether the violation is of state law or of a county or city
5 ordinance. The ~~criminal penalty~~ crime services surcharge
6 required by [section 911.1](#) and the county enforcement surcharge
7 required by [section 911.4](#), if applicable, shall be added to the
8 scheduled fine.

9 Sec. 8. Section 902.9, subsection 2, Code 2018, is amended
10 to read as follows:

11 2. The surcharges required by [sections 911.1, 911.2, and](#)
12 [911.2A,](#) and ~~911.3~~ shall be added to a fine imposed on a class
13 "C" or class "D" felon, as provided by those sections, and are
14 not a part of or subject to the maximums set in [this section](#).

15 Sec. 9. Section 903.1, subsection 4, Code 2018, is amended
16 to read as follows:

17 4. The surcharges required by [sections 911.1, 911.2,](#)
18 [911.2A, 911.3,](#) and [911.4](#) shall be added to a fine imposed on a
19 misdemeanor as provided in those sections, and are not a part
20 of or subject to the maximums set in [this section](#).

21 Sec. 10. Section 911.1, Code 2018, is amended to read as
22 follows:

23 **911.1 ~~Criminal penalty~~ Crime services surcharge.**

24 1. A ~~criminal penalty~~ crime services surcharge shall be
25 levied against law violators as provided in [this section](#).
26 When a court imposes a fine or forfeiture for a violation of
27 state law, or a city or county ordinance, except an ordinance
28 regulating the parking of motor vehicles, the court ~~or the~~
29 ~~clerk of the district court~~ shall assess an additional penalty
30 in the form of a ~~criminal penalty~~ crime services surcharge
31 equal to ~~thirty-five~~ ten percent of the fine or forfeiture
32 imposed.

33 2. In the event of multiple offenses, the surcharge shall
34 be based upon the total amount of fines or forfeitures imposed
35 for all offenses.

1 3. When a fine or forfeiture is suspended in whole or in
2 part, the court shall reduce the surcharge in proportion to the
3 amount suspended.

4 4. The surcharge is subject to the provisions of chapter
5 909 governing the payment and collection of fines, as provided
6 in [section 909.8](#).

7 5. The surcharge shall be remitted by the clerk of court as
8 provided in [section 602.8108, subsection 3](#).

9 Sec. 11. Section 911.2, subsection 1, Code 2018, is amended
10 to read as follows:

11 1. In addition to any other surcharge, the court ~~or clerk~~
12 ~~of the district court~~ shall assess a drug abuse resistance
13 education surcharge of ten dollars if a violation arises out
14 of a violation of an offense provided for in [chapter 321J](#) or
15 chapter 124, subchapter IV.

16 Sec. 12. Section 911.2A, subsection 1, Code 2018, is amended
17 to read as follows:

18 1. In addition to any other surcharge, the court ~~or clerk~~
19 ~~of the district court~~ shall assess a human trafficking victim
20 surcharge of one thousand dollars if an adjudication of
21 guilt or a deferred judgment has been entered for a criminal
22 violation of [section 725.1, subsection 2](#), or [section 710A.2](#),
23 [725.2](#), or [725.3](#).

24 Sec. 13. Section 911.2B, Code 2018, is amended to read as
25 follows:

26 **911.2B Domestic abuse assault, domestic abuse protective**
27 **order contempt, sexual abuse, stalking, and human trafficking**
28 **victim surcharge.**

29 1. In addition to any other surcharge, the court ~~or clerk~~
30 ~~of the district court~~ shall assess a domestic abuse assault,
31 domestic abuse protective order contempt, sexual abuse,
32 stalking, and human trafficking victim surcharge of ~~one hundred~~
33 ninety dollars if an adjudication of guilt or a deferred
34 judgment has been entered for a violation of [section 708.2A](#),
35 [708.11](#), or [710A.2](#), or [chapter 709](#), or if a defendant is held

1 in contempt of court for violating a domestic abuse protective
2 order issued pursuant to chapter 236.

3 2. In the event of multiple offenses, the surcharge shall be
4 imposed for each applicable offense.

5 3. The surcharge shall be remitted by the clerk of court as
6 provided in [section 602.8108, subsection 7](#).

7 Sec. 14. REPEAL. Sections 911.2C and 911.3, Code 2018, are
8 repealed.

9 DIVISION II

10 COURT FUNDS

11 Sec. 15. Section 602.1302, subsection 1, Code 2018, is
12 amended to read as follows:

13 1. Except as otherwise provided by [sections 602.1303](#),
14 ~~[602.1304](#)~~, and [602.8108](#) or other applicable law, the expenses of
15 operating and maintaining the judicial branch shall be paid out
16 of the general fund of the state from funds appropriated by the
17 general assembly for the judicial branch. State funding shall
18 be phased in as provided in [section 602.11101](#).

19 Sec. 16. Section 602.1304, subsection 1, Code 2018, is
20 amended to read as follows:

21 1. Except as provided in [article 8](#) and ~~[subsection 2](#)~~ of this
22 ~~section~~, all fees and other revenues collected by judicial
23 officers and court employees shall be paid into the general
24 fund of the state.

25 Sec. 17. Section 602.1304, subsection 2, Code 2018, is
26 amended by striking the subsection.

27 Sec. 18. Section 602.8108, subsection 9, Code 2018, is
28 amended by striking the subsection and inserting in lieu
29 thereof the following:

30 9. a. A court technology and modernization fund is
31 established as a separate fund in the state treasury. The
32 state court administrator shall allocate nine million
33 four hundred thousand dollars of the moneys received under
34 subsection 2 to be deposited in the fund, which shall be
35 administered by the judicial branch.

1 *b.* The moneys in the fund used to enhance the ability of the
2 judicial branch to process cases more quickly and efficiently,
3 to electronically transmit information to state government,
4 local governments, law enforcement agencies, and the public,
5 and to improve public access to the court system. The moneys
6 in the collection fund may also be used for any the following:

- 7 (1) The Iowa court information system.
- 8 (2) Records management, equipment, services, and projects.
- 9 (3) Other technological improvements approved by the
10 judicial branch.
- 11 (4) Electronic legal research equipment, systems, and
12 projects.
- 13 (5) The study, development, and implementation of other
14 innovations and projects that would improve the administration
15 of justice.

16 (6) Capital improvements necessitated by the installation
17 of or connection with the Iowa court information system, the
18 Iowa communications network, or other like networks.

19 *c.* The fund shall be separate from the general fund of
20 the state and the balance in the fund shall not be considered
21 part of the balance of the general fund of the state.
22 Notwithstanding section 8.33, moneys in the fund shall not
23 revert to the general fund. Notwithstanding section 12C.7,
24 subsection 2, interest or earnings on moneys in the court
25 technology and modernization fund shall remain in the court
26 technology and modernization fund and any interest and earnings
27 shall be in addition to the maximum annual deposit amount.

28 Sec. 19. TRANSFER OF REMAINING FUNDS. Any unobligated
29 or unencumbered moneys remaining in the enhanced court
30 collections fund in section 602.1304 at the end of the fiscal
31 year beginning July 1, 2017, and ending June 30, 2018, shall be
32 transferred to the court technology and modernization fund.

33 DIVISION III

34 CIVIL FEES

35 Sec. 20. Section 602.8105, subsections 1 and 2, Code 2018,

1 are amended to read as follows:

2 1. The clerk of the district court shall collect the
3 following fees:

4 a. Except as otherwise provided in [this subsection](#), for
5 filing and docketing a petition, ~~one two hundred eighty-five~~
6 five dollars. In counties having a population of ninety-eight
7 thousand or over, an additional five dollars shall be charged
8 and collected to be known as the journal publication fee and
9 used for the purposes provided for in [section 618.13](#).

10 b. For filing and docketing a petition for dissolution
11 of marriage, which includes the docketing of any dissolution
12 decree, two hundred seventy-five dollars. It is the intent
13 of the general assembly that twenty-five percent of the funds
14 generated from these fees be appropriated and used for sexual
15 assault and domestic violence centers and seventy-five percent
16 of the funds generated from these fees be appropriated to the
17 general fund of the state.

18 ~~b.~~ c. For filing and docketing a petition pursuant to
19 chapter 598 other than a dissolution of marriage petition, one
20 hundred twenty dollars.

21 ~~e.~~ d. For filing and docketing an application for
22 modification of a dissolution decree to which a written
23 stipulation is attached at the time of filing containing the
24 agreement of the parties to the terms of modification, one
25 hundred twenty dollars.

26 ~~d. For entering a final decree of dissolution of marriage,~~
27 ~~fifty dollars. It is the intent of the general assembly that~~
28 ~~the funds generated from the dissolution fees be appropriated~~
29 ~~and used for sexual assault and domestic violence centers.~~

30 e. For filing and docketing a petition for adoption
31 pursuant to [chapter 600](#), one hundred twenty dollars. For
32 multiple adoption petitions filed at the same time by the same
33 petitioner under [section 600.3](#), the filing fee and any court
34 costs for any petition filed in addition to the first petition
35 filed are waived.

- 1 *f.* For filing and docketing a small claims action, the
2 amounts specified in [section 631.6](#).
- 3 *g.* For an appeal from a judgment in small claims or
4 for filing and docketing a writ of error, ~~one~~ two hundred
5 ~~eighty-five~~ five dollars.
- 6 *h.* For a motion to show cause in a civil case, fifty seventy
7 dollars.
- 8 *i.* For filing and docketing a transcript of the judgment in
9 a civil case, fifty seventy dollars.
- 10 *j.* For filing a tribal judgment, one hundred twenty dollars.
- 11 2. The clerk of the district court shall collect the
12 following fees for miscellaneous services:
- 13 *a.* For filing and entering any other statutory lien, fifty
14 seventy dollars.
- 15 *b.* For a certificate and seal, ~~twenty~~ forty dollars.
16 However, there shall be no charge for a certificate and seal to
17 an application to procure a pension, bounty, or back pay for a
18 member of the armed services or other person.
- 19 *c.* For certifying a change in title of real estate, fifty
20 seventy dollars.
- 21 *d.* For filing a praecipe to issue execution under chapter
22 626, ~~twenty-five~~ forty-five dollars. The fee shall be
23 recoverable by the creditor from the debtor against whom the
24 execution is issued. A fee payable by a political subdivision
25 of the state under this paragraph shall be collected by the
26 clerk of the district court as provided in [section 602.8109](#).
27 However, the fee shall be waived and shall not be collected
28 from a political subdivision of the state if a county attorney
29 or county attorney's designee is collecting a delinquent
30 judgment pursuant to [section 602.8107, subsection 4](#).
- 31 *e.* For filing a praecipe to issue execution under chapter
32 654, fifty seventy dollars.
- 33 *f.* For filing a confession of judgment under [chapter 676](#),
34 fifty seventy dollars if the judgment is five thousand dollars
35 or less, and one hundred twenty dollars if the judgment exceeds

1 five thousand dollars.

2 *g.* For filing a lis pendens, fifty seventy dollars.

3 *h.* For applicable convictions under [section 692A.110](#) prior
4 to July 1, 2009, a civil penalty of two hundred twenty dollars,
5 and for applicable convictions under [section 692A.110](#) on or
6 after July 1, 2009, a civil penalty of two hundred fifty
7 seventy dollars.

8 *i.* Other fees provided by law.

9 Sec. 21. Section 631.6, subsection 1, paragraphs a and c,
10 Code 2018, are amended to read as follows:

11 *a.* Fees for filing and docketing shall be ~~eighty-five~~ one
12 hundred five dollars.

13 *c.* Postage charged for the mailing of original notice shall
14 be ~~ten~~ thirty dollars.

15 DIVISION IV

16 SCHEDULED VIOLATIONS

17 Sec. 22. Section 321.24, subsection 12, Code 2018, is
18 amended to read as follows:

19 12. A person who violates [this section](#) commits a simple
20 misdemeanor punishable as a scheduled violation under section
21 805.8A, subsection 2, paragraph "b".

22 Sec. 23. Section 321.178, subsection 2, paragraph a, Code
23 2018, is amended by adding the following new subparagraph:

24 NEW SUBPARAGRAPH. (3) A person who violates this paragraph
25 commits a simple misdemeanor punishable as a scheduled
26 violation under section 805.8A, subsection 4, paragraph "c".

27 Sec. 24. Section 321.260, subsection 2, Code 2018, is
28 amended to read as follows:

29 2. It shall be unlawful for any person to have in the
30 person's possession any official traffic-control device
31 except by legal right or authority. Any person convicted
32 of unauthorized possession of any official traffic-control
33 device shall upon conviction be guilty of a simple misdemeanor
34 punishable as a scheduled violation under section 805.8A,
35 subsection 8, paragraph "c". In addition to any other

1 penalties, the punishment imposed for a violation of this
2 subsection shall include assessment of a fine of not less than
3 ~~two~~ three hundred fifty twenty dollars.

4 Sec. 25. Section 321.262, subsection 2, Code 2018, is
5 amended to read as follows:

6 2. The driver shall remain at the scene of the accident
7 until the driver has fulfilled the requirements of section
8 321.263. Any person failing to remain at the scene of the
9 accident or fulfill the requirements of section 321.263 under
10 such circumstances shall be guilty of a simple misdemeanor
11 ~~and punished as provided in section 321.482~~ punishable as
12 a scheduled violation under section 805.8A, subsection 14,
13 paragraph "m".

14 Sec. 26. Section 321.264, Code 2018, is amended to read as
15 follows:

16 **321.264 Striking unattended vehicle.**

17 The driver of any vehicle which collides with any vehicle
18 which is unattended shall immediately stop and shall then and
19 there either locate and notify the operator or owner of such
20 vehicle of the name and address of the driver and owner of the
21 vehicle striking the unattended vehicle or shall leave in a
22 conspicuous place in the vehicle struck a written notice giving
23 the name and address of the driver and of the owner of the
24 vehicle doing the striking and a statement of the circumstances
25 thereof. A person who violates this section commits a simple
26 misdemeanor punishable as a scheduled violation under section
27 805.8A, subsection 14, paragraph "n".

28 Sec. 27. Section 321.265, Code 2018, is amended to read as
29 follows:

30 **321.265 Striking fixtures upon a highway.**

31 The driver of a vehicle involved in an accident resulting
32 in damage to property legally upon or adjacent to a highway
33 shall take reasonable steps to locate and notify the owner,
34 a peace officer, or person in charge of the damaged property
35 of the damage and shall inform the person of the driver's name

1 and address and the registration number of the vehicle causing
2 the damage and shall, upon request and if available, exhibit
3 the driver's license of the driver of the vehicle and shall
4 report the accident when and as required in [section 321.266](#). A
5 person who violates this section commits a simple misdemeanor
6 punishable as a scheduled violation under section 805.8A,
7 subsection 14, paragraph "o".

8 Sec. 28. Section 321.278, Code 2018, is amended to read as
9 follows:

10 **321.278 Drag racing prohibited.**

11 1. No person shall engage in any motor vehicle speed contest
12 or exhibition of speed on any street or highway of this state
13 and no person shall aid or abet any motor vehicle speed contest
14 or speed exhibition on any street or highway of this state,
15 except that a passenger shall not be considered as aiding and
16 abetting. Motor vehicle speed contest or exhibition of speed
17 are defined as one or more persons competing in speed in excess
18 of the applicable speed limit in vehicles on the public streets
19 or highways.

20 2. Any person who violates the provisions of [this section](#)
21 shall be guilty of a simple misdemeanor punishable as a
22 scheduled violation under section 805.8A, subsection 14,
23 paragraph "p".

24 Sec. 29. Section 321.324A, Code 2018, is amended by adding
25 the following new subsection:

26 NEW SUBSECTION. 4. A person who violates this section
27 commits a simple misdemeanor punishable as a scheduled
28 violation under section 805.8A, subsection 6, paragraph "s".

29 Sec. 30. Section 321.371, subsection 2, Code 2018, is
30 amended to read as follows:

31 2. A person who violates [this section](#) commits a simple
32 misdemeanor punishable as a scheduled violation under section
33 805.8A, subsection 14, paragraph "q".

34 Sec. 31. Section 321.372, subsection 5, paragraph b,
35 subparagraph (1), Code 2018, is amended to read as follows:

1 (1) For a first offense under [subsection 3](#), the person
2 is guilty of a simple misdemeanor punishable ~~by a fine of at~~
3 ~~least two hundred fifty dollars but not more than six hundred~~
4 ~~seventy-five dollars or by imprisonment for not more than~~
5 ~~thirty days, or by both~~ as a scheduled violation under section
6 805.8A, subsection 10, paragraph "b".

7 Sec. 32. Section 321.383, subsection 4, Code 2018, is
8 amended to read as follows:

9 4. Any Except as provided in subsection 5, any person
10 who violates any provision of [this section](#) ~~shall be fined~~
11 ~~as provided in~~ commits a simple misdemeanor punishable as a
12 scheduled violation under [section 805.8A, subsection 3](#).

13 Sec. 33. Section 321.383, Code 2018, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 5. A person who operates a self-propelled
16 implement of husbandry at a speed which exceeds thirty-five
17 miles per hour commits a simple misdemeanor punishable as a
18 scheduled violation under section 805.8A, subsection 5.

19 Sec. 34. Section 321.431, subsection 6, Code 2018, is
20 amended to read as follows:

21 6. A person who violates [this section](#) commits a simple
22 misdemeanor punishable as a scheduled violation under section
23 805.8A, subsection 3, paragraph "ad".

24 Sec. 35. Section 805.8A, Code 2018, is amended to read as
25 follows:

26 **805.8A Motor vehicle and transportation scheduled violations.**

27 1. *Parking violations.*

28 a. For parking violations under [sections 321.236, 321.239,](#)
29 [321.358, 321.360,](#) and [321.361](#), the scheduled fine is five
30 dollars, except if the local authority has established the
31 fine by ordinance. The scheduled fine for a parking violation
32 pursuant to [section 321.236](#) increases by five dollars if
33 authorized by ordinance and if the parking violation is not
34 paid within thirty days of the date upon which the violation
35 occurred. For purposes of calculating the unsecured appearance

1 bond required under section 805.6, the scheduled fine shall
2 be five dollars, or if the amount of the fine is greater than
3 five dollars, the unsecured appearance bond shall be the amount
4 of the fine established by the local authority. However,
5 violations charged by a city or county upon simple notice of a
6 fine instead of a uniform citation and complaint required by
7 section 321.236, subsection 1, paragraph "b", are not scheduled
8 violations, and this section shall not apply to any offense
9 charged in that manner. For a parking violation under section
10 461A.38, the scheduled fine is ten dollars. For a parking
11 violation under section 321.362, the scheduled fine is twenty
12 dollars.

13 b. For a parking violation under section 321L.2A, subsection
14 2, the scheduled fine is twenty dollars.

15 c. For violations under section 321L.2A, subsection 3,
16 sections 321L.3, 321L.4, subsection 2, and section 321L.7, the
17 scheduled fine is two hundred dollars.

18 2. Title and registration violations. For title or
19 registration violations under the following sections, the
20 scheduled fine is as follows:

21	a.	Section 321.17.....	\$ 50	\$ 65.
22	<u>b.</u>	<u>Section 321.24.....</u>	<u>\$130.</u>	
23	b. <u>c.</u>	<u>Section 321.25.....</u>	<u>\$100</u>	<u>\$130.</u>
24	e. <u>d.</u>	<u>Section 321.32.....</u>	<u>\$ 20</u>	<u>\$ 25.</u>
25	d. <u>e.</u>	<u>Section 321.34.....</u>	<u>\$ 20</u>	<u>\$ 25.</u>
26	e. <u>f.</u>	<u>Section 321.37.....</u>	<u>\$ 20</u>	<u>\$ 25.</u>
27	f. <u>g.</u>	<u>Section 321.38.....</u>	<u>\$ 20</u>	<u>\$ 25.</u>
28	g. <u>h.</u>	<u>Section 321.41.....</u>	<u>\$ 20</u>	<u>\$ 25.</u>
29	h. <u>i.</u>	<u>Section 321.45.....</u>	<u>\$100</u>	<u>\$130.</u>
30	i. <u>j.</u>	<u>Section 321.46.....</u>	<u>\$100</u>	<u>\$130.</u>
31	j. <u>k.</u>	<u>Section 321.47.....</u>	<u>\$100</u>	<u>\$130.</u>
32	k. <u>l.</u>	<u>Section 321.48.....</u>	<u>\$100</u>	<u>\$130.</u>
33	l. <u>m.</u>	<u>Section 321.52.....</u>	<u>\$100</u>	<u>\$130.</u>
34	m. <u>n.</u>	<u>Section 321.55.....</u>	<u>\$ 50</u>	<u>\$ 65.</u>
35	n. <u>o.</u>	<u>Section 321.57.....</u>	<u>\$100</u>	<u>\$130.</u>

1	e.	<u>p.</u>	Section 321.62.....	\$100	<u>\$130.</u>
2	p.	<u>q.</u>	Section 321.67.....	\$100	<u>\$130.</u>
3	q.	<u>r.</u>	Section 321.98.....	\$ 50	<u>\$ 65.</u>
4	r.	<u>s.</u>	Section 321.99.....	\$200	<u>\$255.</u>
5	s.	<u>t.</u>	Section 321.104.....	\$100	<u>\$130.</u>
6	t.	<u>u.</u>	Section 321.115.....	\$ 30	<u>\$ 40.</u>
7	u.	<u>v.</u>	Section 321.115A.....	\$ 30	<u>\$ 40.</u>
8	3. <i>Equipment violations.</i> For equipment violations under the				
9	following sections, the scheduled fine is as follows:				
10	a.		Section 321.234A.....	\$ 50	<u>\$ 65.</u>
11	b.		Section 321.247.....	\$100	<u>\$130.</u>
12	c.		Section 321.317.....	\$ 20	<u>\$ 25.</u>
13	d.		Section 321.381.....	\$100	<u>\$130.</u>
14	e.		Section 321.381A.....	\$100	<u>\$130.</u>
15	f.		Section 321.382.....	\$ 25	<u>\$ 30.</u>
16	g.		Section 321.383, subsection 4.....	\$ 30	<u>\$ 40.</u>
17	h.		Section 321.384.....	\$ 30	<u>\$ 40.</u>
18	i.		Section 321.385.....	\$ 30	<u>\$ 40.</u>
19	j.		Section 321.386.....	\$ 30	<u>\$ 40.</u>
20	k.		Section 321.387.....	\$ 20	<u>\$ 25.</u>
21	l.		Section 321.388.....	\$ 20	<u>\$ 25.</u>
22	m.		Section 321.389.....	\$ 20	<u>\$ 25.</u>
23	n.		Section 321.390.....	\$ 20	<u>\$ 25.</u>
24	o.		Section 321.392.....	\$ 20	<u>\$ 25.</u>
25	p.		Section 321.393.....	\$ 20	<u>\$ 25.</u>
26	q.		Section 321.398.....	\$ 30	<u>\$ 40.</u>
27	r.		Section 321.402.....	\$ 30	<u>\$ 40.</u>
28	s.		Section 321.403.....	\$ 30	<u>\$ 40.</u>
29	t.		Section 321.404.....	\$ 30	<u>\$ 40.</u>
30	u.		Section 321.404A.....	\$ 25	<u>\$ 30.</u>
31	v.		Section 321.409.....	\$ 30	<u>\$ 40.</u>
32	w.		Section 321.415.....	\$ 30	<u>\$ 40.</u>
33	x.		Section 321.419.....	\$ 30	<u>\$ 40.</u>
34	y.		Section 321.420.....	\$ 30	<u>\$ 40.</u>
35	z.		Section 321.421.....	\$ 30	<u>\$ 40.</u>

1	<i>aa.</i>	Section 321.422.....	\$ 20	<u>\$ 25.</u>
2	<i>ab.</i>	Section 321.423.....	\$ 30	<u>\$ 40.</u>
3	<i>ac.</i>	Section 321.430.....	\$100	<u>\$130.</u>
4	<i>ad.</i>	Section 321.431.....		<u>\$130.</u>
5	<i>ad.</i> <i>ae.</i>	Section 321.432.....	\$ 20	<u>\$ 25.</u>
6	<i>ae.</i> <i>af.</i>	Section 321.433.....	\$ 30	<u>\$ 40.</u>
7	<i>af.</i> <i>ag.</i>	Section 321.436.....	\$ 20	<u>\$ 25.</u>
8	<i>ag.</i> <i>ah.</i>	Section 321.438.....	\$ 50	<u>\$ 65.</u>
9	<i>ah.</i> <i>ai.</i>	Section 321.439.....	\$ 20	<u>\$ 25.</u>
10	<i>ai.</i> <i>aj.</i>	Section 321.440.....	\$ 20	<u>\$ 25.</u>
11	<i>aj.</i> <i>ak.</i>	Section 321.441.....	\$ 20	<u>\$ 25.</u>
12	<i>ak.</i> <i>al.</i>	Section 321.442.....	\$ 20	<u>\$ 25.</u>
13	<i>al.</i> <i>am.</i>	Section 321.444.....	\$ 20	<u>\$ 25.</u>

14 4. *Driver's license violations.* For driver's license
15 violations under the following sections, the scheduled fine is
16 as follows:

17	<i>a.</i>	Section 321.174.....	\$ 200	<u>\$ 255.</u>
18	<i>b.</i>	Section 321.174A.....	\$ 50	<u>\$ 65.</u>
19	<i>c.</i>	Section 321.178, subsection 2,		
20		paragraph "a", subparagraph (2).....	\$ 30	<u>\$ 40.</u>
21	<i>d.</i>	Section 321.180.....	\$ 50	<u>\$ 65.</u>
22	<i>e.</i>	Section 321.180B.....	\$ 50	<u>\$ 65.</u>
23	<i>f.</i>	Section 321.193.....	\$ 50	<u>\$ 65.</u>
24	<i>g.</i>	Section 321.194.....	\$ 50	<u>\$ 65.</u>
25	<i>h.</i>	Section 321.216.....	\$ 100	<u>\$ 130.</u>
26	<i>i.</i>	Section 321.216B.....	\$ 200	<u>\$ 255.</u>
27	<i>j.</i>	Section 321.216C.....	\$ 200	<u>\$ 255.</u>
28	<i>k.</i>	Section 321.219.....	\$ 200	<u>\$ 255.</u>
29	<i>l.</i>	Section 321.220.....	\$ 200	<u>\$ 255.</u>

30 5. *Speed violations.*

31 *a.* For excessive speed violations in excess of the
32 limit under section 321.236, subsections 5 and 11, sections
33 321.285, 321.383, and 461A.36, the scheduled fine shall be the
34 following:

35 (1) ~~Twenty~~ Twenty-five dollars for speed not more than five

1 miles per hour in excess of the limit.

2 (2) ~~Forty~~ Fifty dollars for speed greater than five but not
3 more than ten miles per hour in excess of the limit.

4 (3) ~~Eighty~~ One hundred dollars for speed greater than ten
5 but not more than fifteen miles per hour in excess of the
6 limit.

7 (4) ~~Ninety~~ One hundred fifteen dollars for speed greater
8 than fifteen but not more than twenty miles per hour in excess
9 of the limit.

10 (5) One hundred thirty dollars plus five dollars for each
11 mile per hour of excessive speed over twenty miles per hour
12 over the limit.

13 b. Excessive speed in whatever amount by a school bus is
14 not a scheduled violation under any section listed in this
15 subsection.

16 c. Excessive speed in conjunction with a violation of
17 section 321.278 is not a scheduled violation, whatever the
18 amount of excess speed.

19 d. For a violation under [section 321.295](#), the scheduled fine
20 is ~~fifty~~ sixty-five dollars.

21 6. *Operating violations.* For operating violations under the
22 following sections, the scheduled fine is as follows:

23 a. Section 321.236, subsections 3, 4, 9,
24 and 12.....~~\$ 20~~ \$ 25.

25 b. Section 321.275, subsections 1
26 through 7.....~~\$ 35~~ \$ 45.

27 c. Section [321.277A](#).....~~\$ 35~~ \$ 45.

28 d. Section [321.288](#).....~~\$100~~ \$130.

29 e. Section [321.297](#).....~~\$100~~ \$130.

30 f. Section [321.299](#).....~~\$100~~ \$130.

31 g. Section [321.302](#).....~~\$100~~ \$130.

32 h. Section [321.303](#).....~~\$100~~ \$130.

33 i. Section 321.304, subsections 1
34 and 2.....~~\$100~~ \$130.

35 j. Section [321.305](#).....~~\$100~~ \$130.

1	<i>k.</i>	Section 321.306.....	\$100	<u>\$130.</u>
2	<i>l.</i>	Section 321.311.....	\$100	<u>\$130.</u>
3	<i>m.</i>	Section 321.312.....	\$100	<u>\$130.</u>
4	<i>n.</i>	Section 321.314.....	\$100	<u>\$130.</u>
5	<i>o.</i>	Section 321.315.....	\$ 35	<u>\$ 45.</u>
6	<i>p.</i>	Section 321.316.....	\$ 35	<u>\$ 45.</u>
7	<i>q.</i>	Section 321.318.....	\$ 35	<u>\$ 45.</u>
8	<i>r.</i>	Section 321.323.....	\$100	<u>\$130.</u>
9	<i>s.</i>	Section 321.324A.....	\$130.	<u>\$130.</u>
10	<i>s.</i> <i>t.</i>	Section 321.340.....	\$100	<u>\$130.</u>
11	<i>t.</i> <i>u.</i>	Section 321.353.....	\$100	<u>\$130.</u>
12	<i>u.</i> <i>v.</i>	Section 321.354.....	\$100	<u>\$130.</u>
13	<i>v.</i> <i>w.</i>	Section 321.363.....	\$ 35	<u>\$ 45.</u>
14	<i>w.</i> <i>x.</i>	Section 321.365.....	\$ 35	<u>\$ 45.</u>
15	<i>x.</i> <i>y.</i>	Section 321.366.....	\$100	<u>\$130.</u>
16	<i>y.</i> <i>z.</i>	Section 321.395.....	\$100	<u>\$130.</u>

17 7. *Failure to yield or obey violations.* For failure to yield
18 or obey violations under the following sections, the scheduled
19 fine is as follows:

20	<i>a.</i>	Section 321.257, subsection 2, for		
21		a violation by an operator of a motor		
22		vehicle.....	\$100	<u>\$130.</u>
23	<i>b.</i>	Section 321.298.....	\$100	<u>\$130.</u>
24	<i>c.</i>	Section 321.307.....	\$100	<u>\$130.</u>
25	<i>d.</i>	Section 321.308.....	\$100	<u>\$130.</u>
26	<i>e.</i>	Section 321.313.....	\$100	<u>\$130.</u>
27	<i>f.</i>	Section 321.319.....	\$100	<u>\$130.</u>
28	<i>g.</i>	Section 321.320.....	\$100	<u>\$130.</u>
29	<i>h.</i>	Section 321.321.....	\$100	<u>\$130.</u>
30	<i>i.</i>	Section 321.327.....	\$100	<u>\$130.</u>
31	<i>j.</i>	Section 321.329.....	\$100	<u>\$130.</u>
32	<i>k.</i>	Section 321.333.....	\$100	<u>\$130.</u>

33 8. *Traffic sign or signal violations.* For traffic sign or
34 signal violations under the following sections, the scheduled
35 fine is as follows:

- 1 a. Section 321.236, subsections 2 and 6. ~~\$ 35~~ \$ 45.
- 2 b. Section 321.256.....~~\$100~~ \$130.
- 3 c. Section 321.260, subsection 2.....~~\$130.~~
- 4 ~~e.~~ d. Section 321.294.....~~\$100~~ \$130.
- 5 ~~d.~~ e. Section 321.304, subsection 3...~~\$100~~ \$130.
- 6 ~~e.~~ f. Section 321.322.....~~\$100~~ \$130.
- 7 9. *Bicycle or pedestrian violations.* For bicycle or
- 8 pedestrian violations under the following sections, the
- 9 scheduled fine for a pedestrian or bicyclist is as follows:

- 10 a. Section 321.234, subsections 3 and 4. ~~\$ 25~~ \$ 30.
- 11 b. Section 321.236, subsection 10.....~~\$ 15~~ \$ 20.
- 12 c. Section 321.257, subsection 2.....~~\$ 25~~ \$ 30.
- 13 d. Section 321.275, subsection 8.....~~\$ 25~~ \$ 30.
- 14 e. Section 321.325.....~~\$ 25~~ \$ 30.
- 15 f. Section 321.326.....~~\$ 25~~ \$ 30.
- 16 g. Section 321.328.....~~\$ 25~~ \$ 30.
- 17 h. Section 321.331.....~~\$ 25~~ \$ 30.
- 18 i. Section 321.332.....~~\$ 25~~ \$ 30.
- 19 j. Section 321.397.....~~\$ 25~~ \$ 30.
- 20 k. Section 321.434.....~~\$ 25~~ \$ 30.

21 9A. *Electric personal assistive mobility device*

22 *violations.* For violations under section 321.235A, the

23 scheduled fine is ~~fifteen~~ twenty dollars.

24 10. *School bus violations.*

25 a. For violations by an operator of a school bus under

26 sections 321.285 and 321.372, subsections 1 and 2, the

27 scheduled fine is one hundred thirty dollars. However, an

28 excessive speed violation by a school bus of more than ten

29 miles per hour in excess of the limit is not a scheduled

30 violation.

31 b. For violations by a driver of a vehicle under section

32 321.372, subsection 3, the scheduled fine is three hundred

33 twenty dollars.

34 11. *Emergency vehicle violations.* For emergency vehicle

35 violations under the following sections, the scheduled fine is

1 as follows:

- 2 a. Section 321.231.....~~\$100~~ \$130.
- 3 b. Section 321.323A.....~~\$100~~ \$130.
- 4 c. Section 321.324.....~~\$100~~ \$130.
- 5 d. Section 321.367.....~~\$100~~ \$130.
- 6 e. Section 321.368.....~~\$100~~ \$130.

7 12. *Restrictions on vehicles.*

8 a. For violations under sections 321.309, 321.310, 321.394,
9 321.461, and 321.462, the scheduled fine is ~~thirty-five~~
10 forty-five dollars.

11 b. For violations under section 321.437, the scheduled fine
12 is ~~thirty-five~~ forty-five dollars.

13 c. For height, length, width, and load violations under
14 sections 321.454, 321.455, 321.456, 321.457, and 321.458, the
15 scheduled fine is two hundred fifty-five dollars.

16 d. For violations under section 321.466, the scheduled fine
17 is ~~twenty~~ twenty-five dollars for each two thousand pounds or
18 fraction thereof of overweight.

19 e. (1) Violations of the schedule of axle and tandem axle
20 and gross or group of axle weight violations in section 321.463
21 shall be scheduled violations subject to the provisions,
22 procedures, and exceptions contained in sections 805.6 through
23 805.11, irrespective of the amount of the fine under that
24 schedule.

25 (a) Violations of the schedule of weight violations shall be
26 chargeable, where the fine charged does not exceed one thousand
27 dollars, only by uniform citation and complaint.

28 (b) Violations of the schedule of weight violations, where
29 the fine charged exceeds one thousand dollars shall, when the
30 violation is admitted and section 805.9 applies, be chargeable
31 upon uniform citation and complaint, indictment, or county
32 attorney's information, but otherwise shall be chargeable only
33 upon indictment or county attorney's information.

34 (2) In all cases of charges under the schedule of weight
35 violations, the charge shall specify the amount of fine charged

1 under the schedule. Where a defendant is convicted and the
2 fine under the foregoing schedule of weight violations exceeds
3 one thousand dollars, the conviction shall be of an indictable
4 offense although [section 805.9](#) is employed and whether the
5 violation is charged upon uniform citation and complaint,
6 indictment, or county attorney's information.

7 *f.* For a violation under [section 321E.16](#), other than the
8 provisions relating to weight, the scheduled fine is two
9 hundred fifty-five dollars.

10 13. *Motor carrier and other operator violations.*

11 *a.* (1) For a violation under [section 321.54](#), the scheduled
12 fine is ~~thirty~~ forty dollars.

13 (2) For violations under [sections 326.22](#) and [326.23](#), the
14 scheduled fine is ~~fifty~~ sixty-five dollars.

15 *b.* For a violation under [section 321.449](#) or [321.449A](#), the
16 scheduled fine is ~~fifty~~ sixty-five dollars.

17 *c.* For violations under [sections 321.364](#), [321.450](#), [321.460](#),
18 and [452A.52](#), the scheduled fine is two hundred fifty-five
19 dollars.

20 *d.* For violations of [section 325A.3](#), [subsection 5](#), or
21 [section 325A.8](#), the scheduled fine is one hundred thirty
22 dollars.

23 *e.* For violations of [chapter 325A](#), other than a violation of
24 [section 325A.3](#), [subsection 5](#), or [section 325A.8](#), the scheduled
25 fine is ~~two~~ three hundred fifty twenty dollars.

26 *f.* For violations of [section 327B.1](#), [subsection 1](#) or [3](#), the
27 scheduled fine is ~~two~~ three hundred fifty twenty dollars.

28 14. *Miscellaneous violations.*

29 *a.* *Failure to obey a peace officer.* For a violation under
30 [section 321.229](#), the scheduled fine is one hundred thirty
31 dollars.

32 *b.* *Abandoning a motor vehicle.* For a violation under
33 [section 321.91](#), the scheduled fine is two hundred fifty-five
34 dollars.

35 *c.* *Seat belt or restraint violations.*

1 (1) For a violation under [section 321.445](#), the scheduled
2 fine is ~~forty~~ sixty-five dollars.

3 (2) For a violation under [section 321.446](#), the scheduled
4 fine is one hundred thirty dollars.

5 *d. Litter and debris violations.* For violations under
6 sections 321.369 and [321.370](#), the scheduled fine is ~~seventy~~
7 ninety dollars.

8 *e. Open container violations.* For violations under sections
9 321.284 and [321.284A](#), the scheduled fine is two hundred
10 fifty-five dollars.

11 *f. Proof of financial responsibility.* If, in connection with
12 a motor vehicle accident, a person is charged and found guilty
13 of a violation of [section 321.20B, subsection 1](#), the scheduled
14 fine is ~~five~~ six hundred forty dollars; otherwise, the
15 scheduled fine for a violation of [section 321.20B, subsection](#)
16 [1](#), is ~~two~~ three hundred fifty twenty dollars. Notwithstanding
17 [section 805.12](#), fines collected pursuant to this paragraph
18 shall be submitted to the state court administrator and
19 distributed fifty percent to the victim compensation fund
20 established in [section 915.94](#), twenty-five percent to the
21 county in which such fine is imposed, and twenty-five percent
22 to the general fund of the state.

23 *g. Speed detection jamming devices.* For a violation under
24 [section 321.232](#), the scheduled fine is one hundred thirty
25 dollars.

26 *h. Railroad crossing violations.* For violations under
27 sections 321.341, [321.342](#), [321.343](#), and [321.344](#), and [321.344B](#),
28 the scheduled fine is two hundred fifty-five dollars.

29 *i. Road work zone violations.* The scheduled fine for any
30 moving traffic violation under [chapter 321](#), as provided in
31 this section, shall be doubled if the violation occurs within
32 any road work zone, as defined in [section 321.1](#). However,
33 notwithstanding [subsection 5](#), the scheduled fine for violating
34 the speed limit in a road work zone is as follows:

35 (1) One hundred ~~forty~~ fifty ninety dollars for speed not more than

1 ten miles per hour over the posted speed limit.

2 (2) Three hundred eighty-five dollars for speed greater
3 than ten but not more than twenty miles per hour over the
4 posted speed limit.

5 (3) ~~Five~~ Six hundred forty dollars for speed greater than
6 twenty but not more than twenty-five miles per hour over the
7 posted speed limit.

8 (4) One thousand two hundred eighty dollars for speed
9 greater than twenty-five miles per hour over the posted speed
10 limit.

11 *j. Vehicle component parts records violations.* For
12 violations under [section 321.95](#), the scheduled fine is ~~fifty~~
13 sixty-five dollars.

14 *k. Actions against a person on a bicycle.* For violations
15 under [section 321.281](#), the scheduled fine is ~~two~~ three hundred
16 ~~fifty~~ twenty dollars.

17 *l. Writing, sending, or viewing an electronic message while*
18 *driving violations.* For violations under [section 321.276](#), the
19 scheduled fine is ~~thirty~~ forty dollars.

20 *m. Leaving scene of traffic accident.* For violations under
21 section 321.262, the scheduled fine is one hundred thirty
22 dollars.

23 *n. Striking unattended vehicle.* For violations under
24 section 321.264, the scheduled fine is one hundred thirty
25 dollars.

26 *o. Striking fixtures upon highway.* For violations under
27 section 321.265, the scheduled fine is one hundred thirty
28 dollars.

29 *p. Drag racing.* For violations under section 321.278, the
30 scheduled fine is one hundred thirty dollars.

31 *q. Clearing up wrecks.* For violations under section
32 321.371, the scheduled fine is thirty dollars.

33 Sec. 36. Section 805.8B, Code 2018, is amended to read as
34 follows:

35 **805.8B Navigation, recreation, hunting, and fishing scheduled**

1 violations.

2 1. *Navigation violations.*

3 a. For violations of registration, inspections,
4 identification, and record provisions under sections 462A.5,
5 462A.35, and 462A.37, and for unused or improper or defective
6 lights and warning devices under section 462A.9, subsections 3,
7 4, 5, 9, and 10, the scheduled fine is ~~ten~~ fifteen dollars.

8 b. For violations of registration, identification, and
9 record provisions under sections 462A.4 and 462A.10, and for
10 unused or improper or defective equipment under section 462A.9,
11 subsections 2, 6, 7, 8, 13, and 14, and section 462A.11, and
12 for operation violations under sections 462A.26, 462A.31, and
13 462A.33, the scheduled fine is ~~twenty~~ twenty-five dollars.

14 c. For operating violations under sections 462A.12, 462A.15,
15 subsection 1, sections 462A.24, and 462A.34, the scheduled fine
16 is ~~twenty-five~~ thirty dollars. However, a violation of section
17 462A.12, subsection 2, is not a scheduled violation.

18 d. For violations of use, location, and storage of vessels,
19 devices, and structures under sections 462A.27, 462A.28, and
20 462A.32, the scheduled fine is ~~fifteen~~ twenty dollars.

21 e. For violations of all subdivision ordinances under
22 section 462A.17, subsection 2, except those relating to
23 matters subject to regulation by authority of section 462A.31,
24 subsection 5, the scheduled fine is the same as prescribed for
25 similar violations of state law. For violations of subdivision
26 ordinances for which there is no comparable state law, the
27 scheduled fine is ~~ten~~ fifteen dollars.

28 2. *Snowmobile violations.*

29 a. For registration or user permit violations under section
30 321G.3, subsection 1, or section 321G.4B, the scheduled fine is
31 ~~fifty~~ sixty-five dollars.

32 b. (1) For operating violations under section 321G.9, the
33 scheduled fine is ~~fifty~~ sixty-five dollars.

34 (2) For operating violations under sections 321G.11 and
35 321G.13, subsection 1, paragraph "d", the scheduled fine is

1 ~~twenty~~ twenty-five dollars.

2 (3) For operating violations under section 321G.13,
3 subsection 1, paragraphs "a", "b", "e", "f", "g", "h", and "i",
4 and [section 321G.13, subsections 2 and 3](#), the scheduled fine
5 is one hundred thirty dollars.

6 c. For improper or defective equipment under section
7 321G.12, the scheduled fine is ~~twenty~~ twenty-five dollars.

8 d. For violations of [section 321G.19](#), the scheduled fine is
9 ~~twenty~~ twenty-five dollars.

10 e. For decal violations under [section 321G.5](#), the scheduled
11 fine is ~~twenty~~ twenty-five dollars.

12 f. For stop signal violations under [section 321G.17](#), the
13 scheduled fine is one hundred thirty dollars.

14 g. For violations of [section 321G.20](#) and for education
15 certificate violations under [section 321G.24, subsection 1](#), the
16 scheduled fine is ~~fifty~~ sixty-five dollars.

17 h. For violations of [section 321G.21](#), the scheduled fine is
18 one hundred thirty dollars.

19 2A. *All-terrain vehicle violations.*

20 a. For registration or user permit violations under section
21 321I.3, subsection 1, the scheduled fine is ~~fifty~~ sixty-five
22 dollars.

23 b. (1) For operating violations under [sections 321I.12](#) and
24 [321I.14, subsection 1, paragraph "d"](#), the scheduled fine is
25 ~~twenty~~ twenty-five dollars.

26 (2) For operating violations under section 321I.10,
27 subsections 1 and 4, the scheduled fine is ~~fifty~~ sixty-five
28 dollars.

29 (3) For operating violations under section 321I.14,
30 subsection 1, paragraphs "a", "e", "f", "g", and "h", and
31 [section 321I.14, subsections 2, 3, 4, and 5](#), the scheduled fine
32 is one hundred thirty dollars.

33 c. For improper or defective equipment under section
34 321I.13, the scheduled fine is ~~twenty~~ twenty-five dollars.

35 d. For violations of [section 321I.20](#), the scheduled fine is

1 ~~twenty~~ twenty-five dollars.

2 e. For decal violations under [section 321I.6](#), the scheduled
3 fine is ~~twenty~~ twenty-five dollars.

4 f. For stop signal violations under [section 321I.18](#), the
5 scheduled fine is one hundred thirty dollars.

6 g. For violations of [section 321I.21](#) and for education
7 certificate violations under [section 321I.26, subsection 1](#), the
8 scheduled fine is ~~fifty~~ sixty-five dollars.

9 h. For violations of [section 321I.22](#), the scheduled fine is
10 one hundred thirty dollars.

11 3. *Hunting and fishing violations.*

12 a. For violations of [section 484A.2](#), the scheduled fine is
13 ~~ten~~ fifteen dollars.

14 b. For violations of [sections 481A.54, 481A.69, 481A.71,](#)
15 [481A.72, 482.6, 483A.3, 483A.6, 483A.8A, 483A.19, 483A.27,](#) and
16 [483A.27A](#), the scheduled fine is ~~twenty~~ twenty-five dollars.

17 c. For violations of [sections 481A.6, 481A.21, 481A.22,](#)
18 [481A.26, 481A.50, 481A.56, 481A.60 through 481A.62, 481A.83,](#)
19 [481A.84, 481A.92, 481A.123, 481A.145, subsection 3,](#) [sections](#)
20 [483A.6A, 483A.7, 483A.8, 483A.23, 483A.24,](#) and [483A.28](#), the
21 scheduled fine is ~~twenty-five~~ thirty dollars.

22 d. For violations of [sections 481A.7, 481A.24, 481A.47,](#)
23 [481A.52, 481A.53, 481A.55, 481A.58, 481A.76, 481A.90, 481A.91,](#)
24 [481A.97, 481A.122, 481A.126, 481A.142, 481A.145,](#) subsection
25 [2, sections 482.5, 482.7, 482.8, 482.10,](#) and [483A.37](#), the
26 scheduled fine is ~~fifty~~ sixty-five dollars.

27 e. For violations of [sections 481A.57, 481A.85, 481A.93,](#)
28 [481A.95, 481A.120, 481A.137, 481B.5, 482.3, 482.9, 482.15,](#) and
29 [483A.42](#), the scheduled fine is one hundred thirty dollars.

30 f. For violations of [section 481A.38](#) relating to the taking,
31 pursuing, killing, trapping or ensnaring, buying, selling,
32 possessing, or transporting any game, protected nongame
33 animals, fur-bearing animals, or fur or skin of the animals,
34 mussels, frogs, or fish or part of them, the scheduled fines
35 are as follows:

1 (1) For deer or turkey, the scheduled fine is one hundred
2 thirty dollars.

3 (2) For protected nongame, the scheduled fine is one hundred
4 thirty dollars.

5 (3) For mussels, frogs, spawn, or fish, the scheduled fine
6 is ~~twenty-five~~ thirty dollars.

7 (4) For other game, the scheduled fine is ~~fifty~~ sixty-five
8 dollars.

9 (5) For fur-bearing animals, the scheduled fine is
10 ~~seventy-five~~ ninety-five dollars.

11 g. For violations of [section 481A.38](#) relating to an attempt
12 to take, pursue, kill, trap, buy, sell, possess, or transport
13 any game, protected nongame animals, fur-bearing animals, or
14 fur or skin of the animals, mussels, frogs, or fish or part of
15 them, the scheduled fines are as follows:

16 (1) For game or fur-bearing animals, the scheduled fine is
17 ~~fifty~~ sixty-five dollars.

18 (2) For protected nongame, the scheduled fine is ~~fifty~~
19 sixty-five dollars.

20 (3) For mussels, frogs, spawn, or fish, the scheduled fine
21 is ~~ten~~ fifteen dollars.

22 h. For violations of [section 481A.48](#) relating to
23 restrictions on game birds and animals, the scheduled fines are
24 as follows:

25 (1) Out-of-season, the scheduled fine is one hundred thirty
26 dollars.

27 (2) Over limit, the scheduled fine is one hundred thirty
28 dollars.

29 (3) Attempt to take, the scheduled fine is ~~fifty~~ sixty-five
30 dollars.

31 (4) General waterfowl restrictions, the scheduled fine is
32 ~~fifty~~ sixty-five dollars.

33 (a) No federal stamp, the scheduled fine is ~~fifty~~ sixty-five
34 dollars.

35 (b) Unplugged shotgun, the scheduled fine is ~~ten~~ fifteen

1 dollars.

2 (c) Possession of other than steel shot, the scheduled fine
3 is ~~twenty-five~~ thirty dollars.

4 (d) Early or late shooting, the scheduled fine is
5 ~~twenty-five~~ thirty dollars.

6 (5) Possession of a prohibited pistol or revolver while
7 hunting deer, the scheduled fine is one hundred thirty dollars.

8 (6) Possession of a prohibited rifle while hunting deer, the
9 scheduled fine is ~~two~~ three hundred fifty twenty dollars.

10 *i.* For violations of [section 481A.67](#) relating to general
11 violations of fishing laws, the scheduled fine is ~~twenty-five~~
12 thirty dollars.

13 (1) For over limit catch, the scheduled fine is ~~thirty~~ forty
14 dollars.

15 (2) For under minimum length or weight, the scheduled fine
16 is ~~twenty~~ twenty-five dollars.

17 (3) For out-of-season fishing, the scheduled fine is ~~fifty~~
18 sixty-five dollars.

19 *j.* For violations of [section 481A.73](#) relating to trotlines
20 and throwlines:

21 (1) For trotline or throwline violations in legal waters,
22 the scheduled fine is ~~twenty-five~~ thirty dollars.

23 (2) For trotline or throwline violations in illegal waters,
24 the scheduled fine is ~~fifty~~ sixty-five dollars.

25 *k.* For violations of [section 481A.144, subsection 4](#), or
26 [section 481A.145, subsections 4, 5, and 6](#), relating to minnows:

27 (1) For general minnow violations, the scheduled fine is
28 ~~twenty-five~~ thirty dollars.

29 (2) For commercial purposes, the scheduled fine is ~~fifty~~
30 sixty-five dollars.

31 *l.* For violations of [section 481A.87](#) relating to the taking
32 or possessing of fur-bearing animals out of season:

33 (1) For red fox, gray fox, or mink, the scheduled fine is
34 one hundred thirty dollars.

35 (2) For all other furbearers, the scheduled fine is ~~fifty~~

1 sixty-five dollars.

2 *m.* For violations of [section 482.4](#) relating to gear tags:

3 (1) For commercial license violations, the scheduled fine
4 is one hundred thirty dollars.

5 (2) For no gear tags, the scheduled fine is ~~twenty-five~~
6 thirty dollars.

7 *n.* For violations of [section 482.11](#), the scheduled fine is
8 one hundred thirty dollars.

9 *o.* For violations of [section 483A.1](#) relating to licenses and
10 permits, the scheduled fines are as follows:

11 (1) For a license or permit costing ten dollars or less, the
12 scheduled fine is ~~twenty~~ twenty-five dollars.

13 (2) For a license or permit costing more than ten dollars
14 but not more than twenty dollars, the scheduled fine is ~~thirty~~
15 forty dollars.

16 (3) For a license or permit costing more than twenty dollars
17 but not more than forty dollars, the scheduled fine is ~~fifty~~
18 sixty-five dollars.

19 (4) For a license or permit costing more than forty dollars
20 but not more than fifty dollars, the scheduled fine is ~~seventy~~
21 ninety dollars.

22 (5) For a license or permit costing more than fifty dollars
23 but less than one hundred dollars, the scheduled fine is one
24 hundred thirty dollars.

25 (6) For a license or permit costing one hundred dollars or
26 more, the scheduled fine is two times the cost of the original
27 license or permit.

28 *p.* For violations of [section 483A.26](#) relating to false
29 claims for licenses:

30 (1) For making a false claim for a license by a resident,
31 the scheduled fine is ~~fifty~~ sixty-five dollars.

32 (2) For making a false claim for a license by a nonresident,
33 the scheduled fine is one hundred thirty dollars.

34 *q.* For violations of [section 483A.36](#) relating to the
35 conveyance of guns:

1 (1) For conveying an assembled, unloaded gun, the scheduled
2 fine is ~~twenty-five~~ thirty dollars.

3 (2) For conveying a loaded gun, the scheduled fine is ~~fifty~~
4 sixty-five dollars.

5 4. *Ginseng violations.* For a violation of section 456A.24,
6 subsection 11, the scheduled fine is one hundred thirty
7 dollars.

8 5. *Aquatic invasive species violations.* For violations
9 of [section 456A.37, subsection 3](#), the scheduled fine is as
10 follows:

11 a. For violations of [section 456A.37, subsection 3](#),
12 paragraph "a", the scheduled fine is ~~five~~ six hundred forty
13 dollars.

14 b. For violations of [section 456A.37, subsection 3](#),
15 paragraph "b", the scheduled fine is ~~seventy-five~~ ninety-five
16 dollars.

17 c. For repeat violations of [section 456A.37, subsection 3](#),
18 paragraph "a" or "b", within the same twelve-month period, the
19 scheduled fine shall include an additional fine of ~~five~~ six
20 hundred forty dollars for each violation.

21 6. *Misuse of parks and preserves.*

22 a. For violations under [sections 461A.39, 461A.45](#), and
23 [461A.50](#), the scheduled fine is ~~ten~~ fifteen dollars.

24 b. For violations under [sections 461A.40, 461A.46](#), and
25 [461A.49](#), the scheduled fine is ~~fifteen~~ twenty dollars.

26 c. For violations of [sections 461A.35, 461A.42](#), and [461A.44](#),
27 the scheduled fine is ~~fifty~~ sixty-five dollars.

28 d. For violations of [section 461A.48](#), the scheduled fine is
29 ~~twenty-five~~ thirty dollars.

30 e. For violations under [section 461A.43](#), the scheduled fine
31 is ~~thirty~~ forty dollars.

32 Sec. 37. Section 805.8C, Code 2018, is amended to read as
33 follows:

34 **805.8C Miscellaneous scheduled violations.**

35 1. *Energy emergency violations.* For violations of an

1 executive order issued by the governor under the provisions of
2 section 473.8, the scheduled fine is ~~fifty~~ sixty-five dollars.

3 2. *Alcoholic beverage violations.* For violations of section
4 123.49, subsection 2, paragraph "h", the scheduled fine for a
5 licensee or permittee is one thousand ~~five~~ nine hundred twenty
6 dollars, and the scheduled fine for a person who is employed by
7 a licensee or permittee is ~~five~~ six hundred forty dollars.

8 3. *Violations related to smoking, tobacco, tobacco products,*
9 *alternative nicotine products, vapor products, and cigarettes.*

10 a. For violations described in [section 142D.9, subsection 1](#),
11 the scheduled fine is fifty dollars, and is a civil penalty,
12 and the ~~eriminal penalty~~ crime services surcharge under section
13 911.1 shall not be added to the penalty, and the court costs
14 pursuant to [section 805.9, subsection 6](#), shall not be imposed.
15 If the civil penalty assessed for a violation described in
16 section 142D.9, subsection 1, is not paid in a timely manner,
17 a citation shall be issued for the violation in the manner
18 provided in [section 804.1](#). However, a person under age
19 eighteen shall not be detained in a secure facility for failure
20 to pay the civil penalty. The complainant shall not be charged
21 a filing fee.

22 b. For violations of [section 453A.2, subsection 1](#), by an
23 employee of a retailer, the scheduled fine is as follows:

24 (1) If the violation is a first offense, the scheduled fine
25 is one hundred thirty dollars.

26 (2) If the violation is a second offense, the scheduled fine
27 is ~~two~~ three hundred fifty twenty dollars.

28 (3) If the violation is a third or subsequent offense, the
29 scheduled fine is ~~five~~ six hundred forty dollars.

30 c. For violations of [section 453A.2, subsection 2](#), the
31 scheduled fine is as follows and is a civil penalty, and the
32 ~~eriminal penalty~~ crime services surcharge under [section 911.1](#)
33 shall not be added to the penalty, and the court costs pursuant
34 to [section 805.9, subsection 6](#), shall not be imposed:

35 (1) If the violation is a first offense, the scheduled fine

1 is fifty dollars.

2 (2) If the violation is a second offense, the scheduled fine
3 is one hundred dollars.

4 (3) If the violation is a third or subsequent offense, the
5 scheduled fine is two hundred fifty dollars.

6 4. *Electrical or mechanical amusement device violations.*

7 a. For violations of legal age for operating an electrical
8 or mechanical amusement device required to be registered
9 as provided in section 99B.53, pursuant to section 99B.57,
10 subsection 1, the scheduled fine is ~~two~~ three hundred ~~fifty~~
11 twenty dollars. Failure to pay the fine by a person under the
12 age of eighteen shall not result in the person being detained
13 in a secure facility.

14 b. For first offense violations concerning electrical or
15 mechanical amusement devices as provided in section 99B.54,
16 subsection 2, the scheduled fine is ~~two~~ three hundred ~~fifty~~
17 twenty dollars.

18 5. *Gambling violations.*

19 a. For violations of legal age for gambling wagering under
20 section 99D.11, subsection 7, section 99F.9, subsection 4, and
21 section 725.19, subsection 1, the scheduled fine is ~~five~~ six
22 hundred forty dollars. Failure to pay the fine by a person
23 under the age of eighteen shall not result in the person being
24 detained in a secure facility.

25 b. For legal age violations for entering or attempting
26 to enter a facility under section 99F.9, subsection 5, the
27 scheduled fine is ~~five~~ six hundred forty dollars. Failure to
28 pay the fine by a person under the age of eighteen shall not
29 result in the person being detained in a secure facility.

30 6. *Pseudoephedrine sales violations.* For violations of
31 section 126.23A, subsection 1, by an employee of a retailer, or
32 for violations of section 126.23A, subsection 2, paragraph "a",
33 by a purchaser, the scheduled fine is as follows:

34 a. If the violation is a first offense, the scheduled fine
35 is two hundred fifty-five dollars.

1 *b.* If the violation is a second offense, the scheduled fine
2 is ~~two~~ three hundred ~~fifty~~ twenty dollars.

3 *c.* If the violation is a third or subsequent offense, the
4 scheduled fine is ~~five~~ six hundred forty dollars.

5 7. *Alcoholic beverage violations by persons eighteen,*
6 *nineteen, or twenty years of age.* For first offense violations
7 of [section 123.47, subsection 4](#), the scheduled fine is two
8 hundred fifty-five dollars.

9 8. *Unlicensed premises owner — under eighteen years of age*
10 *consumption or possession.* For first offense violations of
11 [section 123.47, subsection 2](#), the scheduled fine is two hundred
12 fifty-five dollars.

13 9. *Notification violations.* For violations of [section](#)
14 [229.22, subsection 6](#), the scheduled fine is one thousand
15 dollars for a first violation and two thousand dollars for a
16 second or subsequent violation. The scheduled fine under this
17 subsection is a civil penalty, and the ~~criminal penalty~~ crime
18 services surcharge under [section 911.1](#) shall not be added to
19 the penalty.

20 10. *Scrap metal transaction violations.* For violations
21 of [section 714.27](#), the scheduled fine is one hundred dollars
22 for a first violation, five hundred dollars for a second
23 violation within two years, and one thousand dollars for a
24 third or subsequent violation within two years. The scheduled
25 fine under [this subsection](#) is a civil penalty which shall
26 be deposited into the general fund of the county or city if
27 imposed by a designated officer or employee of a county or
28 city, or deposited in the general fund of the state if imposed
29 by a state agency, and the ~~criminal penalty~~ crime services
30 surcharge under [section 911.1](#) shall not be added to the
31 penalty.

32 11. *Trespassing violations.* For trespasses punishable under
33 [section 716.8, subsection 1 or 5](#), the scheduled fine is two
34 hundred fifty-five dollars for a first violation, ~~five~~ six
35 hundred forty dollars for a second violation, and one thousand

1 two hundred eighty dollars for a third or subsequent violation.

2 DIVISION V

3 MISDEMEANOR AND FELONY FINES

4 Sec. 38. Section 902.9, subsection 1, paragraphs d and e,
5 Code 2018, are amended to read as follows:

6 *d.* A class "C" felon, not an habitual offender, shall be
7 confined for no more than ten years, and in addition shall be
8 sentenced to a fine of at least one thousand three hundred
9 seventy dollars but not more than ~~ten~~ thirteen thousand six
10 hundred sixty dollars.

11 *e.* A class "D" felon, not an habitual offender, shall be
12 confined for no more than five years, and in addition shall
13 be sentenced to a fine of at least ~~seven hundred fifty one~~
14 thousand twenty-five dollars but not more than ~~seven ten~~
15 thousand five two hundred forty-five dollars.

16 Sec. 39. Section 903.1, subsections 1 and 2, Code 2018, are
17 amended to read as follows:

18 1. If a person eighteen years of age or older is convicted
19 of a simple or serious misdemeanor and a specific penalty is
20 not provided for or if a person under eighteen years of age
21 has been waived to adult court pursuant to [section 232.45](#) on
22 a felony charge and is subsequently convicted of a simple,
23 serious, or aggravated misdemeanor, the court shall determine
24 the sentence, and shall fix the period of confinement or the
25 amount of fine, which fine shall not be suspended by the court,
26 within the following limits:

27 *a.* For a simple misdemeanor, there shall be a fine of at
28 least ~~sixty-five~~ ninety dollars but not to exceed ~~six~~ eight
29 hundred twenty-five fifty-five dollars. The court may order
30 imprisonment not to exceed thirty days in lieu of a fine or in
31 addition to a fine.

32 *b.* For a serious misdemeanor, there shall be a fine of at
33 least ~~three~~ four hundred ~~fifteen~~ thirty dollars but not to
34 exceed ~~one two thousand eight~~ five hundred ~~seventy-five~~ sixty
35 dollars. In addition, the court may also order imprisonment

1 not to exceed one year.

2 2. When a person is convicted of an aggravated misdemeanor,
3 and a specific penalty is not provided for, the maximum penalty
4 shall be imprisonment not to exceed two years. There shall be
5 a fine of at least ~~six~~ eight hundred ~~twenty-five~~ fifty-five
6 dollars but not to exceed ~~six~~ eight thousand ~~two~~ five hundred
7 fifty forty dollars. When a judgment of conviction of an
8 aggravated misdemeanor is entered against any person and the
9 court imposes a sentence of confinement for a period of more
10 than one year the term shall be an indeterminate term.

11

EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill relates to surcharges added to criminal penalties,
15 court funds, civil fees, misdemeanor and felony fines and fines
16 associated with scheduled violations.

17 DIVISION I — SURCHARGES ADDED TO CRIMINAL PENALTIES.

18 Division I changes the name of the criminal penalty surcharge
19 to the crime services surcharge and modifies the distribution
20 of the surcharge moneys. Currently, the clerk of the district
21 court remits 5 percent of the criminal penalty surcharge to
22 the county treasurer of the county that was the plaintiff in
23 the action or to the city that was the plaintiff in the action
24 and the remaining 95 percent of the criminal penalty surcharge
25 moneys as follows: 17 percent is deposited in the victim
26 compensation fund established in Code section 915.94, and 83
27 percent is deposited in the general fund of the state.

28 Under Division I, the clerk of the district court remits 15
29 percent of the crime services surcharge to the county treasurer
30 of the county that was the plaintiff in the action or to the
31 city that was the plaintiff in the action. Additionally,
32 under the division, the clerk of the district court remits the
33 remaining 85 percent of the crime services surcharge moneys as
34 follows: 67 percent is deposited in the victim compensation
35 fund established in Code section 915.94, and 33 percent is

1 deposited in the criminalistics laboratory fund established in
2 Code section 691.9. Division I provides that the state court
3 administrator shall deposit monthly the portion of the moneys
4 collected from the assessment of the crime services surcharge
5 and remitted to the state court administrator to the victim
6 compensation fund and to the criminalistics laboratory fund.

7 Division I combines two surcharges into one Code section:
8 the domestic abuse assault, sexual abuse, stalking, and human
9 trafficking victim surcharge established in Code section 911.2B
10 and the domestic abuse protective order contempt surcharge
11 established in Code section 911.2C. The new surcharge amount
12 is \$90. The surcharge is assessed if an adjudication of guilt
13 or deferred judgment has been entered for a violation of Code
14 section 708.2A, 708.11, or 710A.2, or Code chapter 709, or if a
15 defendant is held in contempt of court for violating a domestic
16 abuse protective order issued pursuant to Code chapter 236.
17 After combining the surcharges, the division repeals the second
18 surcharge in Code section 911.2C.

19 Division I repeals the law enforcement initiative surcharge
20 in Code section 911.3. Division I makes corresponding changes
21 to the Code.

22 DIVISION II — COURT FUNDS. Division II increases the
23 allocation to the court technology and modernization fund
24 from \$1 million to \$9.4 million in Code section 602.8108.
25 Division II repeals the enhanced court collections fund in Code
26 section 602.1304(2). Division II makes corresponding changes
27 to the Code. Division II provides that any unobligated or
28 unencumbered moneys remaining in the enhanced court collections
29 fund in Code section 602.1304 at the end of the fiscal year
30 beginning July 1, 2017, and ending June 30, 2018, shall be
31 transferred to the court technology and modernization fund.

32 DIVISION III — CIVIL FEES. Division III amends Code
33 sections 602.8105 and 631.6 to increase fees in civil cases by
34 \$20.

35 DIVISION IV — SCHEDULED VIOLATIONS. Division IV

1 reclassifies the following simple misdemeanors as simple
2 misdemeanors punishable as scheduled violations: violations of
3 Code section 321.24 (issuance of registration and certificate
4 of title), violations of Code section 321.178(2)(a)(1)
5 (restricted license), violations of Code section 321.260(2)
6 (unlawful possession of traffic-control device), violations
7 of Code section 321.262 (leaving the scene of an accident),
8 violations of Code section 321.264 (striking unattended
9 vehicle), violations of Code section 321.265 (striking
10 fixtures upon a highway), violations of Code section 321.278
11 (drag racing), violations of Code section 321.324A (funeral
12 processions), violations of Code section 321.371 (clearing
13 up wrecks), violations of Code section 321.372(3) (school
14 bus violations by driver of vehicle), violations of Code
15 section 321.383 (exceptions — slow vehicles identified), and
16 violations of Code section 321.431 (brake performance).

17 Division IV raises nearly all of the amounts for simple
18 misdemeanors punishable as scheduled violations in Code
19 sections 805.8A (motor vehicle and transportation), 805.8B
20 (navigation, recreation, hunting, and fishing), and 805.8C
21 (miscellaneous), by approximately 28 percent.

22 DIVISION V — MISDEMEANOR AND FELONY FINES. Division
23 V modifies the minimum and maximum criminal fines for
24 misdemeanors and felonies. Currently, a simple misdemeanor
25 fine ranges from \$65 to \$625, a serious misdemeanor fine ranges
26 from \$315 to \$1,875, an aggravated misdemeanor fine ranges
27 from \$625 to \$6,250, a class "D" felony fine ranges from \$750
28 to \$7,500, and a class "C" felony fine ranges from \$1,000 to
29 \$10,000. Under Division V, a simple misdemeanor fine ranges
30 from \$90 to \$855, a serious misdemeanor fine ranges from \$430
31 to \$2,560, an aggravated misdemeanor fine ranges from \$855 to
32 \$8,540, a class "D" felony fine ranges from \$1,025 to \$10,245,
33 and a class "C" felony fine ranges from \$1,370 to \$13,660.